

MINUTES OF THE MARCH 25, 2020 REGULAR MEETING

Directors Present: Corinne Koehler, Dennis Maroney, Jerry Martin, Bud O'Hara, Ron Serna, Paul Willumstad

Also Present: Attorney Don Banner
Administrator Rick Kidd

Guests: Mike Cuppy, NorthStar Engineering

The regular meeting of the Pueblo Conservancy District was called to order by President Koehler at 10:00 am. It was noted that there were only nine persons in attendance so the Board meeting was in compliance with the Governor's order.

Minutes:

A quorum being present, the minutes of the February 26, 2020 regular meeting were reviewed. O'Hara moved to approve the minutes and Serna seconded. The motion passed.

Public Forum:

None.

Treasurer's Report:

Accountant's Compilation Report – Kidd said that the accountants had still not completed the revised December 2019 report, nor had they prepared the January and February reports.

Bills – Kidd reported that the bills were routine. KR Swerdfeger's pay request is for nearly \$1.1M. Since the Bank of the San Juans loan was fully expended last month, the full construction costs are now coming out of the Districts Reserve Account. According to the February report from the Bank of the San Juans, the District currently has over \$4.1M in that account. Willumstad moved to pay the bills and O'Hara seconded. The motion passed.

The following bills were posted for review and approval:

BSJ Operations and Maintenance Account:

\$ 475.00	MGPM, Monthly Accountant fees
\$ 500.00	B&B, Attorney Fees
\$ 1,700.00	Kidd Engineering, Administrator/Engineer fees
\$ 200.00	Bernard, Director's Fee
\$ 200.00	Cordova, Director's Fee
\$ 200.00	Koehler, Director's Fee
\$ 200.00	Maroney, Director's Fee

\$ 200.00 Martin, Director's Fees
\$ 200.00 O'Hara, Director's Fee
\$ 200.00 Phillips, Director's Fee
\$ 200.00 Serna, Director's Fee
\$ 200.00 Willumstad, Director's Fee

BSJ Construction Draw Account:

\$ 2,805.00 Kidd Engineering, February 22 through March 20, 2020 Phase 6 CA/CO and meetings
\$ 495.00 Kidd Engineering, Arkansas River Levee Phases 3, 4, and 5 warranties and inspections
\$ 330.00 Kidd Engineering, Arkansas River Levee Planning and IGA
\$ 37,279.50 NorthStar Engineering, Phase 6 Construction administration and reimbursable expenses February 22 through March 20, 2020
\$ 1,611.00 NorthStar Engineering, February 22 through March 20, 2020 expenses for maintenance fund support work, consultations, etc.
\$1,0758,231.80 KR Swerdfeger, Phase 6 Arkansas River Levee Pay Request No. 4

BSJ Reserve Account:

\$ 4,575.00 Pueblo Conservancy District – Transfer to Operating Account
\$1,117,752.30 Pueblo Conservancy District – Transfer to Draw Account

BSJ Bond Loan Account:

\$ 0.00 Pueblo Conservancy District – Transfer to Draw Account

Levee Construction–

Mike Cuppy said that the contractor will be placing concrete today and tomorrow, and that work on the fencing is proceeding. The concrete for the viewing ledge will be placed next week. The work on the maintenance road under the bridges is still proceeding. All remaining work is well above expected water elevations.

There are three change orders that the Board needs to consider:

CO#6 – Additional work required where the maintenance road comes out on the east side of the railroad bridge. To maintain the 9-ft wide travel path about 30 feet of the deck needs to cantilever over the stem wall. The cost for this is \$7970.

CO#7 – This change order is for putting openings through the existing fence between 11th Street and 4th Street. Three locations where there are pull braces have been identified as the likely locations. The cost to put openings at these three locations is \$6728. O'Hara stated that he believes there should be openings to improve access for the artists. Kidd said that when he was driving in to the meeting Cordova's comments were that the purpose of the fence was to protect the public and that there will be more general public in area than artists. Maroney said that was a good point and Willumstad agreed. Banner said that from a safety

standpoint fewer opening is better. Cuppy said that the distance from the access ramp to 4th Street is approximately 3000-feet.

CO#8 – This change order would be for putting in access openings in the reaches where the fence has not yet been constructed. The charge of \$748 per each is just for a barrier rail in front of the openings. Kidd said that there are two planned openings – one for each set of stairs. The combined cost for eight total openings would be \$5984.

The change orders were then considered, by the Board, individually:

CO#6 – Kidd said that this change order had already been approved by the Change Order Committee. Willumstad moved to approve it and Serna seconded. The motion passed.

CO#7 – Willumstad moved to not approve this change order. Seconded by Martin. The motion to not approve was approved 3 to 2.

CO#8 – Kidd said that in his opinion two were necessary and the other six were voluntary. Willumstad moved to approve two and deny the other six. Maroney seconded. The motion passed 4 to 1.

Cuppy said that there is another change order coming but that NorthStar and Kidd had not had an opportunity to discuss and negotiate pricing on this work. At the last Board meeting the Directors decided that there should be handrails on each side of the stairs and that they should be of new material rather than salvage from the old diversion access stairs. The current proposal from the contractor is \$12,009. When asked, Cuppy said that the stairs are 6-feet wide. Cuppy said that the initial shop drawings were not acceptable and that there was no mention of any paint or protective covering. He requested approval for the change order at a cost of not to exceed \$15,000, because water levels could be real close to the bottom of the stair rails if we waited until the next meeting. Willumstad so moved and Martin seconded. The motion passed.

Old Business:

Banner reported that the bill to approve maintenance fund assessment proceeds to be used for art and recreation has been approved by both the House and the Senate. It will become law as long as there are no signed protests filed against it.

Banner also reported that the Budget Bill, containing the CWCB load increase to the District has passed and is awaiting the Governor's signature. It is anticipated that this will be signed and the funding will be available in July or August. The loan will be \$22M at 2.45 percent interest for 30-years.

'21 In '21 Celebration-

Corinne said that she and Barb had met. The dedication is scheduled at 3:00 pm on June 3, 2021. There will be a reception following at the Union Depot. Corinne is working on a listing of invited attendees and speakers. She had talked to Signs by Scott to obtain pricing on bronze plaques. She had budget pricing for 2x2, 3x3 and 4x4 plaques. After discussion she was asked to proceed with a 3x3 plaque at a budget of \$4000.

Other Business:

Banner said that he would arrange to meet with the City Council to discuss the cooperative relationship between the City and the District and our partnership improve and enhance the recreational opportunities along the River corridor. He is thinking it would be most appropriate to do this during the public forum rather than at a work session or as an agenda item. Willumstad asked if there was a need to expand the City's easement to encompass the proposed IGA improvements area. Banner said that the would check wording on the existing easements and see what may need to be done.

O'Hara said that a tour of the Fountain Creek projects is coming up. He will send information to Kidd when it is available. He reported that the Fountain Creek Greenway and Flood Control District has a new director to replace Larry Small. O'Hara did not recall his last name, but his first name is Dave.

There being no other business to come before the Board the meeting was adjourned at 11:10 pm. The next regular meeting will be on April 15, 2020, at 10:00 am.

APPROVED:

Corinne Koehler, President

Ron Serna, Secretary